



A SUBSIDIARY OF ROYAL AHOLD

14101 Newbrook Drive
Chantilly, Virginia 20151
Phone (703) 961-6000
Fax (703) 961-6048

January 27, 2005

The Honorable William T. Hawks
Under Secretary for Marketing and Regulatory Programs
U.S. Department of Agriculture
Country of Origin Labeling Program
Agricultural Marketing Service
Stop 0249 Room 2092-S
1400 Independence Avenue, SW
Washington, DC 20250-0249

Dear Secretary Hawks:

I am writing on behalf of Ahold USA. We currently operate six large food chains along the eastern seaboard. The chains are: Giant Food LLC based in Landover, Maryland; Giant Food Stores headquartered in Carlisle, Pennsylvania; Tops Markets, headquartered in Buffalo, New York; Stop & Shop Supermarkets of Quincy, Massachusetts; Bruno's based in Birmingham, Alabama and BiLo based in Maulden, South Carolina. We are writing to respond to the Department's request for comments on the interim final regulations for Country of Origin Labeling for fish and seafood.

As operators of the major food chains mentioned above, we established an internal work group charged with the responsibility of implementing the Country of Origin Labeling program for fish and seafood. We have spent a great amount of time on this matter as we want to comply in the most efficient manner possible in order to provide information at the point of purchase dealing with the seafood Country of Origin Labeling requirements. We have even been privileged to host a research group from the Department of Agriculture on several store tours at Giant Food in Washington over the past many months as we all worked toward the goal of implementing Country of Origin Labeling.

The most important element of the Act at this time as we see it is that the record-keeping requirement should be simplified and the effective date advanced. Please allow us to elaborate.

As previously mentioned, we have worked with your staff and representatives from Food Marketing Institute (FMI) in order to simplify the record-keeping provision in the final regulations. As a matter of fact, the most difficult part of complying with the Country of Origin Labeling Act at this time comes from the corporate record-keeping requirement.

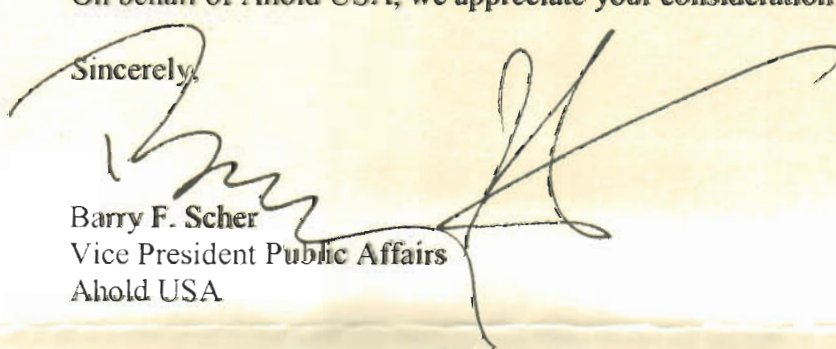
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We feel strongly that the label on the product case should stand as the official record as the case label is the most efficient way to identify the Country of Origin Labeling requirement. We should also allow the Julian date to stand in place of the lot number which in effect, will enable the label to stand as the unique identifier! This information is provided to us by the supplier directly with the product and is held at store level until the product is entirely sold. We feel this should serve as the only record that must be maintained by retail stores. As you know, the supplier has first-hand knowledge of the origin and production of the seafood item and thus is the only entity that can properly validate the origin and production claims necessary. We are respectfully requesting that the USDA permit a complete supplier record to serve as the only record necessary at the store level and eliminate your requirement for corporate recordkeeping.

Finally, as you know, the interim file rule is effective in slightly over 8 weeks. Your final rule is very unlikely to be issued much before the interim final rule is scheduled to take effect and therefore we hope you will include a new effective date with the final rule. This will enable us to implement Country of Origin Labeling in a more complete manner. We understand that enforcement will not take place until the fall but again, we would like to respectfully ask for a new effective date.

On behalf of Ahold USA, we appreciate your consideration of our comments.

Sincerely,



Barry F. Scher
Vice President Public Affairs
Ahold USA